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VIA FACSIMILE: 571-273-8300  
Date of Facsimile: May 30, 2007

Attorney Docket No. CST-213  
PAIR Customer No. 31012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bacus *et al.*  
ASSIGNEE: CELL SIGNALING TECHNOLOGY, INC.  
SERIAL NUMBER: 10/735,118 EXAMINER: Susan Ungar, Ph.D.  
FILING DATE: December 11, 2003 ART UNIT: 1642  
FOR: METHOD FOR PREDICTING RESPONSE TO HER-2 DIRECTED THERAPY

CERTIFICATE OF FACSIMILE TRANSMISSION

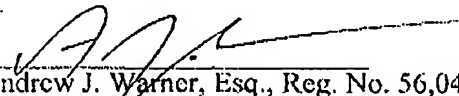
I hereby certify that this correspondence, and any documents referred to as attached hereto, is/are being transmitted to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, central facsimile number: 571-273-8300 on this 30<sup>th</sup> of May 2007.

  
Andrew J. Warner, Esq.

Attached hereto for filing in the above-identified patent application is/are:

- ☒ Response to Restriction Requirement and Summary Of Telephonic Interview 37  
C.F.R. §1.143; §1.111, §1.133(b) (3 pages)

Respectfully submitted,

  
Andrew J. Warner, Esq., Reg. No. 56,049  
CELL SIGNALING TECHNOLOGY, INC.  
Danvers, Massachusetts 01923  
Tel: (978) 867-2343

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May 11, 2007  
Danvers, Massachusetts

VIA FACSIMILE (571) 273-8300

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-14500

**RESPONSE TO RESTRICTION REQUIREMENT AND SUMMARY OF  
TELEPHONIC INTERVIEW  
(37 C.F.R. §1.143; §1.111; §1.133(b))**

This paper is filed in response to the October 4, 2006 Restriction Requirement issued in the above-identified patent application and is a written follow-up to a telephonic interview held between Andrew J. Warner, James G. Cullem, Supervisory Examiner Shanon A. Foley and Quality Assurance Specialist Yvonne Eyler on May 11, 2007. A telephonic interview was previously held on November 30, 2006 between Applicant's attorneys (named above) and Examiner Susan Ungar.

Although no fees are believed to be due with this filing, the Commissioner is hereby authorized to charge any fees that may be due, to Deposit Account No. 50-1774, Ref. No. CST-213. The present filing is due on or before June 11, 2007.

**REMARKS**

In the outstanding Office Action the Examiner has required restriction between the subject matter of group A (claims 84-88, 89-92, 99-101, 103, and 105-107), group B (claim 89 and 93-107), and group C (claims 108-110). Within each group the Examiner has further